

## **IOWA DISTRICT COURT, FIFTH JUDICIAL DISTRICT**

**IN RE: POLK COUNTY DISTRICT  
ASSOCIATE JUDGE ASSIGNMENTS  
FOR 2010**

**ADMINISTRATIVE ORDER 2009-34**

To fully utilize Fifth Judicial District judicial resources and to promote the ideal of efficient court administration within the Fifth Judicial District:

**IT IS SO ORDERED:**

1. The provisions of this Order provide for and establish the assignment of judicial duties and responsibilities of all Fifth Judicial District Associate Judges in Polk County for calendar year 2009.

2. District Associate Judges are assigned to attend to and preside over all judicial matters and proceedings authorized by statute, including mental health, within the county of their residence and elsewhere in the Fifth Judicial District as assigned by the Chief Judge.

3. Judicial duties and responsibilities of the nine Polk County District Associate Judges, for purposes of assignment and administration are divided into ten benches occupying courtrooms and chambers as indicated:

Criminal #1	Courtroom 202A
Criminal #2	Courtroom 211
Criminal #3	Courtroom 109
Criminal #4	Jail Courtroom
Juvenile Court	Courtroom 108
Juvenile Court	Courtroom 112
Juvenile Court	Courtroom 202B
Trials	Courtroom 101
Civil	Courtroom 206

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CLERK DISTRICT COURT

4. Judge assignments shall be for rotating six-month terms. Assignments for 2010 are set forth in Exhibit "A" attached hereto. Judge assignments in future years shall be made pursuant to

the assignment grid attached hereto as Exhibit "B." District Associate Judges shall at all times be available to attend to and preside over cases within their jurisdiction even when not within their specific assignments.


5. The District Associate Judge assigned to courtroom 101 designated as the Trial Judge shall conduct criminal and civil trials and other proceedings within the jurisdiction of the Associate District Court. The District Associate Judge assigned to courtroom 206 shall be assigned small claims appeals pursuant to Iowa Code Section 631.13 and civil actions for money judgment when the amount in controversy does not exceed \$10,000.00 as assigned by Court Administration. Both of these judges shall serve as a judicial resource for coverage and other matters as assigned by Court Administration

6. Cynthia Moisan shall serve as Presiding District Associate Judge for 2010. The Presiding District Associate Judge shall in consultation with the Chief Judge and District Court Administrator develop and implement a regimen for the District Associate Judges, Polk County Judicial Magistrate, and Senior District Associate Judges consistent with the general assignment herein established, to the end that District Associate Court officers, personnel and resources are fully utilized.

7. The duties and responsibilities of District Associate Criminal #4 assigned to the Court facilities located in the Polk County Jail shall be all inclusive of a District Associate Judge's authority and jurisdiction in criminal matters. District Associate Criminal #4 shall expedite judicial proceedings of all persons incarcerated in the Polk County Jail. Judicial proceedings within the jurisdiction and assignment of the District Associate Court involving incarcerated persons shall without exception be held at the Polk County Jail unless due to statute, rule, procedural due process or other legal reason the judicial proceeding must take place in the Polk County Courthouse. Felony arraignments of in-custody defendants shall be conducted by a District Associate Judge in the jail courtroom. Preliminary hearings of in-custody defendants shall be conducted in Room 109. All mail originating from incarcerated persons in the Polk County Jail addressed to the Court or Clerk of Court shall be attended to by District Associate Criminal #4. Such mail addressed to a named Judge shall be attended to by the named Judge. The designation of jail court as a place of holding court in Polk County is currently under review. This order may be amended to reflect the results of this review.

8. The Court Administrator and Clerk of Court shall assist the Presiding District Associate Judge and District Associate Judges in complying with this Order and achieving the objectives thereof.

DATED this 15 day of October, 2009.

  
ARTHUR E. GAMBLE, CHIEF JUDGE  
FIFTH JUDICIAL DISTRICT OF IOWA

COPIES TO:

District Associate Court Judges – 5th Judicial District  
District Court Administrator/State Court Administrator  
Clerks of District Court – 5th Judicial District  
Fifth Judicial District Liaison Justice  
Asst Court Administrators – 5<sup>th</sup> Judicial District  
Scheduling Court Reporter/District Assoc Court Reporters

District Associate Judicial Assistants/District Associate Court Attendants  
District Court Judges – 5th Judicial District  
County Sheriffs, 5th Judicial District  
Polk County Attorney  
Case Coordinators – 5th Judicial District  
Adult Public Defenders Office

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**2010 POLK DISTRICT ASSOCIATE JUDGE ROTATION  
EXHIBIT "A" to Administrative Order 2009-34**

ASSIGNMENT	Jan., 2010	THRU	June, 2010	Jan., 2010	THRU	June, 2010	THRU	Jan., 2010	THRU	June, 2011
Criminal # 1 (Drivers Court) Courtroom 202A			Birkenholz			Moisan				Price
Criminal #2 (Indictables) Courtroom 211			Coppola			McGhee				Birkenholz
Criminal #3 (Probation) Courtroom 109			McGhee			Price				Moisan
Criminal #4 Jail			Price			Brandt				Coppola
Criminal #5 Courtroom 102 (Traffic-Simple Misd.)			MAGISTRATE			MAGISTRATE				MAGISTRATE
Juvenile Courtroom 108			Egly			Egly				Egly
Juvenile Courtroom 202B			Smith/Witt			Witt				Witt
Juvenile Courtroom 112			Jacobs			Jacobs				Jacobs
Trial Judge Room 101			Brandt			Coppola				McGhee
Civil Courtroom 206			Moisan			Price				Brandt

Exhibit "B" to Administrative Order 2009-34

DATES	1-10	6-10	1-11	6-11	1-12	6-12	1-13	6-13	1-14
Criminal 1 Rm. 202A	JB	CM	WP	GB	CC	OM	JB	CM	WP
Criminal 3 Room 109	OM	JB	CM	WP	GB	CC	OM	JB	CM
Criminal 2 Room 211	CC	OM	JB	CM	WP	GB	CC	OM	JB
Trials Room 101	GB	CC	OM	JB	CM	WP	GB	CC	OM
Criminal 4 Jail	WP	GB	CC	OM	JB	CM	WP	GB	CC
Civil Room 206	CM	WP	GB	CC	OM	JB	CM	WP	GB
Criminal 5 Room 102	MAG	MAG	MAG	MAG	MAG	MAG	MAG	MAG	MAG
Juvenile	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE	Ctrm 108 CE
Juvenile	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ	Ctrm 112 LJ
Juvenile	Ctrm 202B JS/CW	Ctrm 202B CW	Ctrm 202B CW	Ctrm 202B CW	Ctrm 202B ?	Ctrm 202B ?	Ctrm 202B ?	Ctrm 202B ?	Ctrm 202B ?

CC = C. Coppola    CE = C. Egly    CM = C. Moisan    GB = G. Brandt    JB = J. Birkenholz    MAG=MAGISTRATE  
 JS = J. Smith    LJ = L. Jacobs    OM = O. McGhee    WP = W. Price    CW = C. Witt

FROM 11-09 TO 1-10 -JUDGE WITT WILL COVER TRAFFIC